

**Remarks**

The Notice to Comply, dated December 31, 2002, has been carefully considered. The time for filing a response has been extended. The specification has now been amended to correct errors in the sequence numbering as well as to provide for a listing in the sequence of all amino acid and nucleotide sequences contained in the original specification as required by 37 C.F.R. 1.821-1.825. These amendments do not introduce new matter into the disclosure of the invention. The basis for the amendments to the claims can be found on pages 33-34 and 74-75 and figures 12 and 13 of the specification.

In light of the foregoing, it is respectfully submitted that all claims currently pending in the present application are patentable over the art cited by the Examiner. Accordingly, early reconsideration and allowance of the claims, as currently pending, are solicited. Applicant has made a good faith effort to address all of the concerns raised by the Examiner in the Notice to Comply. If there are any further issues that need to be addressed such that a allowance of the claims can issue, the Examiner is invited to call the Applicant's undersigned attorney at the phone number given below.

The Assistant Commissioner for Patents is authorized to charge any deficiency or credit any overpayment to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,

LEONARD D. KOHN, *et al.*



---

Stephen R. Albainy-Jenei  
Registration No. 41,487  
Telephone (513) 651-6839  
FROST BROWN TODD LLC  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, Ohio 45202-4182  
salbainyjenei@fbtlaw.com

Enclosures

**VERSION WITH MARKINGS TO SHOW CHANGES**  
**MADE IN THE SPECIFICATION:**

**IN THE SPECIFICATION:**

*Please amend the specification as indicated:*

- a. Please replace the last paragraph on page 33 (lines 23-24) continuing on to page 34 (lines 1-2) with the following paragraph:**

Figure 12 shows nucleotide sequence (SEQ ID NO:19) and predicted amino acid sequence (SEQ ID NO:20) of the rat 90K tumor-associated immunostimulator. The putative signal peptide is indicated by a bracket. The SRCR homology domain is boxed. Cysteine residues are underlined. Potential asparagine-linked glycosylation sites are circled.

- b. Please replace the first full paragraph on page 34 (lines 2-6) with the following paragraph:**

Figure 13 shows the comparison of the human (SEQ ID NO:21), rat (SEQ ID NO:22) and mouse (MAMA) (SEQ ID NO:23) homologs of the 90K tumor-associated immunostimulator. Amino acid identities in all three homologs are boxed; an identity of the rat 90K protein sequence with one other homolog is denoted by a dot. Nonidentical but similar residues are in white in the black boxes.

- c. Please replace the first full paragraph on page 33 (lines 1-4) with the following paragraph:**

For Polymerase Chain Reactions (RT-PCR), the MHC class II DNA probe used a sense primer having the nucleotide sequence, 5'-AGCAAGCCAGTCACAGAAGG-3' (SEQ ID NO:17), and an antisense primer with the sequence, 5'-GATTCGACTTGGGAAGATGCC-

3' (SEQ ID NO:18) which amplified a 546 bp product, from between 74 and 619 bp of the class II sequence. Both primer regions are highly conserved in the class II nucleotide and protein sequence. Contamination of genomic DNA in total RNA preparations was tested using PCR primers which detect an intronic sequence of rat CIITA genome DNA (M. Pietrarelli *et al.*, manuscript in preparation).

**d. Please replace the sequence listing for the application with the pages attached to this response and as listed in the enclosed electronic sequence as indicated as being required by the Notice to Comply.**